

## REMARKS

Applicants note that the specification has been amended to reflect the addition of continuity data and to add subject matter which was incorporated by reference to U.S. Patent No. 5,143,854 at page 1, line 20 of the specification at the time of filing. Applicants note that the subject matter was contained at column 7, lines 49-50 and column 16, lines 46-52 of U.S. Patent No. 5,143,854. Accordingly, Applicants submit that such changes do not contain impermissible new matter due to the incorporation by reference as originally filed.

Applicants have canceled claims 93-140 and added claims 141-163. Entry of the amendments are respectfully requested.

Table A reflects the correlation of Applicants' claims vis-a-vis U.S. Patent No. 6,682,702 claims. Applicants' new claims 141, 143, 146-148, 151-153, 155-156, 158-159, 161, and 163 correspond exactly to U.S. Patent No. 6,682,702 to Barth *et al.*, issued on January, 27, 2004 ("the '702 patent") claims 1, 8, 11-13, 17-19, 21-22, 30, 37, 43, and 47, respectively. Applicants' new claims 142, 144-145, 149-150, 154, 157, 160, and 162 are substantially similar to the '702 patent claims 7, 9-10, 14, 16, 20, 23, 42, and 44, respectively. Concurrently filed herewith is a Request for Declaration of Interference with a Patent under 37 CFR § 41.202, in which Applicants request an interference between the present application and United States Patent No. 6,682,702.

**Table A**

<u><b>Applicants' Claims</b></u>	<u><b>Barth et al., U.S. Patent No. 6,682,702</b></u>
<b>141</b>	<b>1</b>
<b>142</b>	<b>7</b>
<b>143</b>	<b>8</b>
<b>144</b>	<b>9</b>
<b>145</b>	<b>10</b>
<b>146</b>	<b>11</b>
<b>147</b>	<b>12</b>
<b>148</b>	<b>13</b>
<b>149</b>	<b>14</b>

150	16
151	17
152	18
153	19
154	20
155	21
156	22
157	23
158	30
159	37
160	42
161	43
162	44
163	47

Entry and consideration of the foregoing is respectfully requested. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 01-0431.

Respectfully submitted,  
AFFYMETRIX, INC.

Date: May 2, 2005

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